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4 Attorney for Defendant Lissette Alvarez

5 UNITED STATES DISTRICT COURT

6 DISTRICT OF NEVADA

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|-----------------------------|---|---------------------------------------|
| 8 UNITED STATES OF AMERICA, |) | 2:15-cr-18-APG-VCF |
| |) | |
| 9 Plaintiff, |) | |
| |) | <u>STIPULATION TO CONTINUE</u> |
| 10 vs. |) | <u>SENTENCING HEARING</u> |
| |) | |
| 11 LISSETTE ALVAREZ, |) | (Sixth Request) |
| |) | |
| 12 Defendant. |) | |
| _____ |) | |

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14 IT IS HEREBY STIPULATED AND AGREED, by and between Dayle Elieson, United
15 States Attorney, and Daniel J. Cowhig, Assistant United States Attorney, and Defendant Lissette
16 Alvarez, by and through her counsel, Mace J. Yampolsky, Esq., that:

- 17 1. Defendant Lissette Alvarez's sentencing hearing, currently scheduled for August
18 9, 2018, be continued for a period of thirty days.
- 19 2. Defendant's counsel will be out of the jurisdiction from August 2, 2018 through
20 August 13, 2018.
- 21 3. The Defendant waives any right she might have to speedy sentencing in this
22 matter.
- 23 4. The defendant is out of custody and agrees to continuance of the sentencing
24 hearing.
- 25 5. Additionally, denial of this request for continuance could result in a miscarriage
26 of justice.
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6. This is the sixth request to continue sentencing in this case.

7. Counsel for both parties agree that the proposed continuance is sought in good faith and not for purposes of delay.

DATED this 30th day of July, 2018.

DAYLE ELIESON
United States Attorney

/s/ Daniel J. Cowhig
Daniel J. Cowhig
Assistant United States Attorney

/s/ Mace J. Yampolsky
Mace J. Yampolsky, Esq.
Counsel for Defendant Alvarez

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8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA

10 ***

11 UNITED STATES OF AMERICA,) 2:15-cr-18-APG-VCF
12)
13 Plaintiff,)
14) **FINDINGS OF FACT AND**
15 vs.) **CONCLUSIONS OF LAW**
16)
17 LISSETTE ALVAREZ,)
18)
19 Defendant.)
20 _____)

21 **FINDINGS OF FACT**

22 Based on the pending Stipulation of counsel, and good cause appearing therefore, the
23 Court hereby finds that:

- 24 1. The parties request that defendant Lissette Alvarez's sentencing hearing, currently
25 scheduled for August 9, 2018, at the hour of 1:30 p.m., be continued for a period of
26 30 days.
- 27 2. Defendant's counsel will be out of the jurisdiction from August 2, 2018 through
28 August 13, 2018.
3. The defendant waives any right she might have to speedy sentencing in this matter.
4. The defendant is out of custody and agrees to continuance of the sentencing hearing.
5. Additionally, denial of this request for continuance could result in a miscarriage of
justice.

6. This is the sixth request to continue sentencing in this case.

7. Defense and Government counsel agree that the proposed continuance is sought in good faith and not for purposes of delay.

CONCLUSIONS OF LAW

Based on the fact that Defendant's counsel will be out of the jurisdiction from August 2, 2018 through August 13, 2018, and based on the fact that counsel for the parties do not object to the continuance, and based on the fact that denial of this request for continuance could result in a miscarriage of justice; the Court hereby concludes that:

1. The ends of justice are served by granting said continuance since the failure to grant said continuance would be likely to result in a miscarriage of justice.

ORDER

IT IS THEREFORE ORDERED that the sentencing date of Lissette Alvarez currently scheduled for August 9, 2018, at the hour of 1:30 p.m., be vacated and continued until October 2, 2018 at 2:30 p.m. in Courtroom 6C.

UNITED STATES DISTRICT JUDGE

DATED: July 31, 2018